

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF KENTUCKY  
COVINGTON DIVISION**

ESTATE OF VINCENT J. GIBSON, by and  
through JOHNNIE SHADD, as Administratrix

Plaintiff,

V.

DAIMLER NORTH AMERICA CORPORATION,  
DAIMLER TRUCKS NORTH AMERICA, LLC,  
LUFKIN INDUSTRIES, LLC, and  
GENERAL ELECTRIC COMPANY

## Defendants

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) Civil Action No. 2:19-cv-00095-  
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**INITIAL DISCLOSURES ON BEHALF  
OF DEFENDANT GENERAL ELECTRIC COMPANY**

Defendant General Electric Company (“GE”) submits the following Initial Disclosures pursuant to Rule 26(a)(1)(A) of the Federal Rules of Civil Procedure:

## PRELIMINARY STATEMENT

GE did not design, manufacture, or sell the 2006 trailer involved in the accident that is the subject of plaintiff's Complaint. GE did not have any ownership interests whatsoever, either directly or indirectly, in Lufkin Industries, LLC, the entity that allegedly designed and manufactured the subject trailer, until 2013.

These Initial Disclosures are based on information presently known and reasonably available to GE. GE may amend these Initial Disclosures based on its continuing investigation and discovery, and therefore, reserves the right to supplement or amend these Initial Disclosures.

**(i) PERSONS WITH DISCOVERABLE INFORMATION**

Other than the parties to the lawsuit and the individuals identified in the Ohio Department of Public Safety Traffic Crash Report, GE is not yet aware of any other individuals with discoverable information regarding the accident that is the subject of plaintiff's Complaint.

GE continues its investigation and discovery in an effort to identify individuals with knowledge to support GE's defense that it is not a proper party to this lawsuit.

**(ii) DOCUMENTS**

Other than the Ohio Department of Public Safety Traffic Crash Report, GE is not yet aware of any documents in its possession, custody, or control that may be used in support of its defenses to the merits of this lawsuit.

GE directs the parties to the attached affidavit of Malvina Iannone addressing the fact that GE did not design, manufacture, or sell the 2006 trailer involved in the accident that is the subject of plaintiff's Complaint, and did not have any ownership interests whatsoever, either directly or indirectly, in Lufkin Industries, LLC until 2013. *See* Exhibit 1: Affidavit of Malvina Iannone executed December 3, 2019.

GE continues its investigation and discovery in an effort to identify and locate documents to support GE's defense that it is not a proper party to this lawsuit.

**(iii) COMPUTATION OF DAMAGES**

GE is not currently claiming any damages other than legal fees and costs incurred in defending this lawsuit.

**(iv) INSURANCE**

GE is not a proper party to this lawsuit. GE has attempted to satisfy plaintiff's counsel that it did not design, manufacture, or sell the subject trailer. To the extent that plaintiff's counsel refuses to voluntarily dismiss GE from this lawsuit, GE will be filing a dispositive

motion. To the extent that GE's dispositive motion is not successful and plaintiff obtain a final judgment against GE that survives on appeal, GE has insurance coverage to satisfy part or all of that judgment. *See* Exhibit 2: Declarations Sheet for Policy Period January 1, 2018 to January 1, 2019.

GE reserves the right to amend and/or supplement these Initial Disclosures as additional information becomes available.

RESPECTFULLY SUBMITTED,

FULTZ MADDUX DICKENS PLC  
Scott T. Dickens  
Gregory Scott Gowen

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*Counsel for Defendant,  
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**CERTIFICATE OF SERVICE**

I hereby certify that on July 31, 2020, I electronically filed this document through the ECF system, which will send a notice of electronic filing to:

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